

TFC Contact No. 20-046-000
Clifford Power Systems, Inc.
RFP No. 303-9-01352
Amendment No. 1

**AMENDMENT NO. 1
TO THE
SERVICES CONTRACT
FOR
EMERGENCY GENERATORS AND AUTOMATIC TRANSFER SWITCHES
PREVENTATIVE MAINTENANCE, REPAIR, AND RENTAL SERVICES
BETWEEN
THE TEXAS FACILITIES COMMISSION
AND
CLIFFORD POWER SYSTEMS, INC.**

THIS AMENDMENT NO. 1 is entered into by and between the Texas Facilities Commission (hereinafter referred to as "TFC"), a state agency located at 1711 San Jacinto Boulevard, Austin, Texas 78701 and Clifford Power Systems, Inc. (hereinafter referred to as "Contractor") located at 4918 Burleson Road, Austin, Texas 78744, to amend the original Contract between the Parties (hereinafter referred to as the "Contract").

WHEREAS, on November 18, 2019, the Parties executed that one certain *Services Contract for Emergency Generators and Automatic Transfer Switches, Preventative Maintenance, Repair, and Rental Services Between the Texas Facilities Commission and Clifford Power Systems, Inc to be effective as of September 1, 2019*; and

WHEREAS, the Parties desire to enter into this Amendment No. 1 for the purpose of increasing the Contract base fee and Contract verbiage for required fuel testing on thirty-three (33) emergency diesel generators during annual inspections per NFPA 110 code and to the request of the Fire Marshall in the amount of Eighteen Thousand One Hundred Fifty and No/100 Dollars (\$18,150.00), as more completely addressed in Exhibit A-1 – Facilities, Equipment List and Compensation and Fees; and

WHEREAS, subject to Contract Sections 3.01, Contract Limit and Fees and Expenses, 3.03 (b & c), Additional Services and Adjustments, and 10.23, Entire Agreement and Modification, such modifications may only be effected by a written amendment to the Contract; and

NOW, THEREFORE, the Parties agree to amend the Contract as follows:

1. The Parties agree to modify ARTICLE I – STATEMENT OF WORK, Section 1.01, General, by replacing all references in the Contract to "Exhibit A – Property List, Compensation and Fees," with "Exhibit A-1 – Property List, Compensation and Fees," attached hereto and incorporated herein for all purposes, to document the required fuel testing on thirty-three (33) emergency diesel generators during annual inspection per NFPA 110 code and to the request of the Fire Marshal. The Parties agree that Exhibit A-1 – Property List, Compensation and Fees shall be effective as of September 1, 2019.

2. The Parties agree to amend ARTICLE I – STATEMENT OF WORK, Section 1.06, Annual Inspections, to include Subsection vi, as follows:

“(vi) Fuel quality test(s) shall be performed using appropriate ASTM standards (occurs once every year).”

3. The Parties hereby agree to amend ARTICLE I – STATEMENT OF WORK, Section 1.07, Tri-Annual Inspections, to include Subsection x, as follows:

“(x) Fuel quality test(s) shall be performed using appropriate ASTM standards (occurs once every year).”

4. The Parties agree to modify ARTICLE III – CONSIDERATION, SECTION 3.01 (a.) – Contract Limit and Fees and Expenses, by increasing the total amount of fees to be paid under this Contract by Eighteen Thousand One Hundred Fifty and No/100 Dollars (\$18,150.00), thus increasing the total not to exceed amount from Five Hundred Fifty-Six Thousand Three Hundred Sixty-Eight and No/100 Dollars (\$556,368.00) to a total not to exceed amount of Five Hundred Seventy-Four Thousand Five Hundred Eighteen and No/100 Dollars (\$574,518.00).

“3.01. **CONTRACT LIMIT AND FEES AND EXPENSES.** (a) The total amount of this Contract shall not exceed the sum of Five Hundred Seventy-Four Thousand Five Hundred Eighteen and No/100 Dollars (\$574,518.00). This amount includes the Fiscal Year 2020 and FY 2021 contract base fee of Two Hundred Seventy-Four Thousand Five Hundred Eighteen and 00/100 Dollars (\$274,518.00) and Three Hundred Thousand and 00/100 Dollars (\$300,000) to cover any Additional Services, as defined in Section 3.03 below. Pricing fees will be invoiced in accordance with Exhibit A-1 – Facilities, Equipment List, Compensation and Fees. Any changes to the not-to-exceed amount of this Contract or pricing fees set forth in Exhibit A-1 – Facilities, Equipment List, Compensation and Fees shall be submitted to TFC for review and shall be approved by amendment to this Contract.

5. Except as expressly amended above, all provisions of the Contract remain in full force and effect.


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Clifford Power Systems, Inc.
RFP No. 303-9-01352
Amendment No. 1

In Witness Whereof, the parties hereto have made and executed this Amendment No. 1 to this Contract to be effective as of the date of the last Party to sign.

TEXAS FACILITIES COMMISSION

CLIFFORD POWER SERVICES, INC.

By: 
B1C9FC0A8020417...

Mike Novak

Executive Director


Date of execution: 03/30/2020 | 10:44 AM CDT

By: 
EC144E993F9D4B2...

Stephanie Benson

VP Sales

Date of execution: 03/30/2020 | 8:35 AM PDT

GC 

Dir 

COO 

TFC Contact No. 20-046-000
Clifford Power Systems, Inc.
RFP No. 303-9-01352
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EXHIBIT A-1

TFC Contract No. 20-046-000
Clifford Power Systems
RFP No. 303-9-01352
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EXHIBIT A-1
Facilities, Equipment List, Compensation and Fees

THIS EXHIBIT IS
MARKED AS
CONFIDENTIAL

Building and Address	Name, KW, KVA	Model, Serial #'s	Annual Inspection	3-Year Inspection	Battery Change
Lorenzo de Zavala & Library (ARC), 1200 Brazos St.	Caterpillar-230KW 266KVA standby	Model #3306 Serial #6YR02441	\$1,481	\$2,310	\$296
Brown-Heatly State Office Building (BHB), 4900 N Lamar Blvd.	Stewart & Stevenson 750 KW 938KVA Standby	Model #12A2PTA-7505B Serial #131812	\$2,336	\$4,490	\$534
	Kohler-505 KW 631KVA Standby	Model #500REOVZB Serial #2041881	\$1,821	\$3,213	\$591
Central Services Bldg. (CSB), 1711 San Joacinto Blvd.	Caterpillar-230KW 266KVA standby	Model #3306 Serial #7YR02518	\$1,481	\$2,300	\$296
DARS Administration Bldg. (DARS), 4800 N Lamar Blvd.	Generac-20KW 25KVA Standby	Model #8929030100 Serial #2095320	\$962	\$1,458	\$181
Dr. Bob Glaze Laboratory (DBGL), 1100 W 49th St.	Generac-1020KW 1275KVA Standby	Model #1379200100 Serial #2061419	\$3,356	\$5,828	\$576
Disaster Recovery Operations Center (DROC), 1001 North Loop Blvd.	Baldor-1600KW 2000KVA Standby	Model #IDLC16002M Serial #P1202270001	\$4,246	\$8,079	\$940
DSHS Tower (DHT), 1100 49th St.	Kohler-275KW 344KVA Standby	Model #250REOZJD Serial #2279472	\$1,527	\$2,401	\$296
	Clarke - Fire Pump	Model #John Deere Serial #4045L26894	\$960	\$1,498	\$449
E O Thompson State Office Building (THO), 920 Colorado St.	Onan-200KW 250KVA Standby	Model #DGFC-5550367 Serial #A020327409, Spec: E	\$1,287	\$1,987	\$242
Thomas J Rusk State Office Building (TJR), 208 E 10th St.	Onan-200KW 250KVA Standby	Model #200DFBC Serial #A920444989, Spec: 55645F	\$1,361	\$2,108	\$241
	Generac-150KW 187.5KVA Standby	Model #16371220100 Serial #8629981	\$980	\$1,624	\$190
William B. Travis State Office Building (WBT), 1701 North Congress Ave.	Onan-350KW 437.5KVA Standby	Model #350GFEB Serial #M14E209482	\$1,542	\$2,816	\$491

Building and Address	Name, KW, KVA	Model, Serial #'s	Annual Inspection	3-Year Inspection	Battery Change
William P Hobby State Office Building (WPH), 333 Guadalupe Blvd.	MTU-600 KW 750KVA Standby	Model #MTU 12V1600 DS600 Serial #95010600759	\$2,269	\$4,024	\$483
William P Clements State Office Building (WPC), 300 W 15th St.	Onan-350KW 437.5KVA Standby	Model #350.ODFN-17R/18781C Serial #K840735823	\$1,796	\$3,251	\$491
Human Services Warehouse (HSW), 1111 North Loop Blvd.	300 gallon above ground	1111 North Loop, Austin	\$1,113	\$1,723	\$296
Insurance Building (INS), 1100 San Jacinto Blvd.	Olympian-150KW 187.5KVA Standby	Model #D150P1 Serial #GABL002842	\$1,338	\$2,069	\$242
	MTU-150KW 187.5KVA Standby	Model #DS00150D6SRAK0574 Serial #364878-1-1-0214	\$1,347	\$2,029	\$190
James E Rudder State Office Building (JER), 1019 Brazos St.	Olympian-200KW 250KVA Standby	Model #D200P4 Serial #GAML000603	\$1,292	\$2,045	\$296
John H Reagan State Office Building (JHR), 105 W 15th St.	Onan-400KW 500KVA Standby	Model #DFCE-4957719 Serial #D010226163	\$1,823	\$3,284	\$491
Lyndon B Johnson State Office Building (LBJ), 111 E 17th St.	Caterpillar-230KW 266 KVA Standby	Model #SRB4 Serial #6YR02084	\$1,481	\$2,323	\$296
Price Daniel State Office Building (PDB), 209 W 14th St.	Kohler-500KW 750KVA Standby	Model #600R0Z71 Serial #268036	\$2,333	\$4,115	\$534
John H Winters State Office Building (JHW), 701 W 51st St.	Kohler-300KW 375KVA Standby	Model #300REOVZ Serial #2043540	\$1,527	\$2,499	\$338
	Onan-500KW 625KVA Standby	Model #DFEK-1206647 Serial #G120367782	\$2,355	\$4,876	\$897
	MTU-750KW 938KVA Standby	Model #MTU 12V2000 DS750 Serial #95020500266	\$2,219	\$4,748	\$897
	MTU-750KW 938KVA Standby	Model #MTU 12V2000 DS750 Serial #95020500268	\$2,219	\$4,740	\$897

Building and Address	Name, KW, KVA	Model, Serial #'s	Annual Inspection	3-Year Inspection	Battery Change
	MTU-750KW 938KVA Standby	Model #MTU 12V2000 DS750 Serial #95020500267	\$1,859	\$3,273	\$534
Parking Garage N (PKN), 333 San Antonio St.	Onan-1250 KW 1563KVA Standby	Model #1250DFLC Serial #G950581838	\$3,518	\$6,124	\$940
	GNR Fire Pump Perkins Engine	Model #FDZ-AFJK Serial #FD-9517461-01	\$960	\$1,498	\$398
Parking Garage P (PKP), 1520 San Jacinto Blvd.	Caterpillar 200KW 250KVA Standby	Model #96A05168-S Serial #2030690	\$1,278	\$1,918	\$398
	Olympian-350KW 375KVA Standby	Model #G300LG6 Serial #GXJ4953-OLY00000	\$1,542	\$2,953	\$338
Rober E Johnson State Office Building (REJ), 1501 N Congress Ave.	Kohler-1000KW 1600 A	Model #1000R0ZD Serial #399371	\$3,339	\$5,673	\$634
Robert D Moreton State Office Building (RDM), 1100 W 49th St.	Cummins-500KW 625KVA Standby	Model #500GFGB Serial #M15J431070	\$1,720	\$3,155	\$534
Stephen F Austin State Office Building (SFA), 1700 Congress Ave.	Kohler-475KW 594 KVA Standby	Model #500ROZD71 Serial #351250	\$1,936	\$3,397	\$591
Sam Houston State Office Building (SHB), 201 E 14th St.	Onan-800KW 1000 KVA Standby	Model #DQCC-1524450 Serial #L150899151	\$2,586	\$4,838	\$534
	Onan-750KW 938KVA Standby	Model #750DHFA Serial #F970640273	\$2,846	\$5,125	\$576
Texas School for the Blind and Visually Impaired (TSBVI), 1100 W 45th St.	Kohler-45 KW 56.25KVA Standby	Model #45REZG Serial #2269510	\$831	\$1,378	\$190
	Kohler-150 KW 187.5KVA Standby	Model #150REZG Serial #2289916	\$1,002	\$1,672	\$166
Texas School for the Deaf (TSD), 1102 S Congress Ave	CUMMINS-20KW Stanby 25kVA	Model #C20D6 Serial #C160929099	\$941	\$1,437	\$190

Vendor Name: Clifford Power Systems, Inc. **ALL PRICING CONFIDENTIAL**

	CUMMINS 80KW Standby 100kVA	Model #GG06-1808075, Serial #C180329358		
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Generator Rental Rates – As Needed* **See Attached TFC Rental Rate Pricing**

Single Shift (8 hr/40hrs/176 hrs)	DAILY	WEEKLY	MONTHLY
50 KW	\$ 1,914.40	\$ 2,251.00	\$ 3,373.00
100 KW	\$ 1,979.68	\$ 2,414.20	\$ 3,862.60
150 KW	\$ 2,349.04	\$ 2,887.60	\$ 4,682.80
200 KW	\$ 2,446.96	\$ 3,360.88	\$ 6,102.64
500 KW	\$ 4,336.80	\$ 6,050.40	\$ 11,191.20
1000 KW	\$ 7,384.00	\$ 9,985.00	\$ 18,655.00
1500 KW	\$ 9,810.80	\$ 13,972.40	\$ 26,457.20
4/0 Cable, 50' Length	\$15	\$30	\$90
4/0 Female Pigtails	\$2	\$5	\$15
4/0 Male Pigtails	\$2	\$5	\$15

*Pricing shall be for a turnkey service, to include, but not be limited to, mobilization, delivery, hook-up, disconnect, and pick-up fees. Travel time will not be paid.

Rental Rates TFC - 7/10/19 CR

	Standby Shift			Single Shift (\$ hr/40hrs/176 hrs)			Double Shift (16hr/80hrs/352hrs)			Triple Shift (Unlimited)		
	Daily	Weekly	Monthly	Daily	Weekly	Monthly	Daily	Weekly	Monthly	Daily	Weekly	Monthly
50 kW	\$ 192.50	\$ 481.25	\$ 1,443.75	\$ 220.00	\$ 550.00	\$ 1,650.00	\$ 330.00	\$ 825.00	\$ 2,475.00	\$ 440.00	\$ 1,100.00	\$ 3,300.00
100 kW	\$ 248.50	\$ 621.25	\$ 1,863.75	\$ 284.00	\$ 710.00	\$ 2,130.00	\$ 426.00	\$ 1,065.00	\$ 3,195.00	\$ 568.00	\$ 1,420.00	\$ 4,260.00
150 kW	\$ 308.00	\$ 770.00	\$ 2,310.00	\$ 352.00	\$ 880.00	\$ 2,640.00	\$ 528.00	\$ 1,320.00	\$ 3,960.00	\$ 704.00	\$ 1,760.00	\$ 5,280.00
200 kW	\$ 392.00	\$ 1,176.00	\$ 3,528.00	\$ 448.00	\$ 1,344.00	\$ 4,032.00	\$ 672.00	\$ 2,016.00	\$ 6,048.00	\$ 896.00	\$ 2,688.00	\$ 8,064.00
500 kW	\$ 735.00	\$ 2,205.00	\$ 6,615.00	\$ 840.00	\$ 2,520.00	\$ 7,560.00	\$ 1,260.00	\$ 3,780.00	\$ 11,340.00	\$ 1,680.00	\$ 5,040.00	\$ 15,120.00
1000 kW	\$ 1,487.50	\$ 3,718.75	\$ 11,156.25	\$ 1,700.00	\$ 4,250.00	\$ 12,750.00	\$ 2,550.00	\$ 6,375.00	\$ 19,125.00	\$ 3,400.00	\$ 8,500.00	\$ 25,500.00
1500 kW	\$ 1,428.00	\$ 4,284.00	\$ 12,852.00	\$ 2,040.00	\$ 6,120.00	\$ 18,360.00	\$ 3,060.00	\$ 9,180.00	\$ 27,540.00	\$ 4,080.00	\$ 12,240.00	\$ 36,720.00

	Daily	Weekly	Monthly
50 kW	\$ 170.00	\$ 350.00	\$ 1,050.00
100 kW	\$ 170.00	\$ 350.00	\$ 1,050.00
150 kW	\$ 170.00	\$ 350.00	\$ 1,050.00
200 kW	\$ 170.00	\$ 350.00	\$ 1,050.00
500 kW	\$ 306.00	\$ 630.00	\$ 1,890.00
1000 kW	\$ 578.00	\$ 1,190.00	\$ 3,570.00
1500 kW	\$ 850.00	\$ 1,750.00	\$ 5,250.00

Round Trip Delivery	Set-Up/Tear-Down Labor	TOTAL
\$ 300.00	\$ 340.00	\$ 640.00
\$ 200.00	\$ 340.00	\$ 540.00
\$ 600.00	\$ 340.00	\$ 940.00
\$ 600.00	\$ 340.00	\$ 940.00
\$ 1,080.00	\$ 510.00	\$ 1,590.00
\$ 1,400.00	\$ 680.00	\$ 2,080.00
\$ 1,500.00	\$ 680.00	\$ 2,180.00

\$\$\$/hr ***NOTE: x 1.5 for 5pm-8pm and x
2 for Sun/Holidays

	Standby Shift			Single Shift (\$ hr/40hrs/176 hrs)			Double Shift (16hr/80hrs/352hrs)			Triple Shift (Unlimited)		
	Daily	Weekly	Monthly	Daily	Weekly	Monthly	Daily	Weekly	Monthly	Daily	Weekly	Monthly
50 kW	\$ 3.85	\$ 9.63	\$ 28.88	\$ 4.40	\$ 11.00	\$ 33.00	\$ 6.60	\$ 16.50	\$ 49.50	\$ 8.80	\$ 22.00	\$ 66.00
100 kW	\$ 4.97	\$ 12.43	\$ 37.28	\$ 5.68	\$ 14.20	\$ 42.60	\$ 8.52	\$ 21.30	\$ 63.90	\$ 11.36	\$ 28.40	\$ 85.20
150 kW	\$ 6.16	\$ 15.40	\$ 46.20	\$ 7.04	\$ 17.60	\$ 52.80	\$ 10.56	\$ 26.40	\$ 79.20	\$ 14.08	\$ 35.20	\$ 105.60
200 kW	\$ 7.84	\$ 23.52	\$ 70.56	\$ 8.96	\$ 26.88	\$ 80.64	\$ 13.44	\$ 40.32	\$ 120.96	\$ 17.92	\$ 53.76	\$ 161.28
500 kW	\$ 14.70	\$ 44.10	\$ 132.30	\$ 16.80	\$ 50.40	\$ 151.20	\$ 25.20	\$ 75.60	\$ 226.80	\$ 33.60	\$ 100.80	\$ 302.40
1000 kW	\$ 29.75	\$ 74.38	\$ 223.13	\$ 34.00	\$ 85.00	\$ 255.00	\$ 51.00	\$ 127.50	\$ 382.50	\$ 68.00	\$ 170.00	\$ 510.00
1500 kW	\$ 28.56	\$ 85.68	\$ 257.04	\$ 40.80	\$ 122.40	\$ 367.20	\$ 61.20	\$ 183.60	\$ 550.80	\$ 81.60	\$ 244.80	\$ 734.40

	Standby Shift			Single Shift (\$ hr/40hrs/176 hrs)			Double Shift (16hr/80hrs/352hrs)			Triple Shift (Unlimited)		
	Daily	Weekly	Monthly	Daily	Weekly	Monthly	Daily	Weekly	Monthly	Daily	Weekly	Monthly
50 kW	\$ 1,006.35	\$ 1,480.88	\$ 3,162.63	\$ 1,914.40	\$ 2,251.00	\$ 3,373.00	\$ 2,026.60	\$ 2,531.50	\$ 4,214.50	\$ 2,138.80	\$ 2,812.00	\$ 5,056.00
100 kW	\$ 1,063.47	\$ 1,623.68	\$ 3,591.03	\$ 1,979.68	\$ 2,414.20	\$ 3,852.60	\$ 2,124.52	\$ 2,776.30	\$ 4,948.90	\$ 2,269.36	\$ 3,138.40	\$ 6,035.20
150 kW	\$ 1,424.16	\$ 2,075.40	\$ 4,246.20	\$ 2,349.04	\$ 2,887.60	\$ 4,682.80	\$ 2,528.56	\$ 3,336.40	\$ 6,029.20	\$ 2,708.08	\$ 3,785.20	\$ 7,375.60
200 kW	\$ 1,509.84	\$ 2,489.52	\$ 5,588.56	\$ 2,446.96	\$ 3,360.88	\$ 6,102.64	\$ 2,675.44	\$ 4,046.32	\$ 8,158.96	\$ 2,903.92	\$ 4,731.76	\$ 10,215.28
500 kW	\$ 2,845.70	\$ 4,469.10	\$ 10,227.30	\$ 4,336.80	\$ 6,050.40	\$ 11,191.20	\$ 4,765.20	\$ 7,335.60	\$ 15,046.80	\$ 5,193.60	\$ 8,620.80	\$ 18,902.40
1000 kW	\$ 4,175.25	\$ 7,063.13	\$ 17,029.38	\$ 7,384.00	\$ 9,985.00	\$ 18,655.00	\$ 8,251.00	\$ 12,152.50	\$ 25,157.50	\$ 9,118.00	\$ 14,320.00	\$ 31,660.00
1500 kW	\$ 4,786.56	\$ 8,599.58	\$ 20,839.04	\$ 9,810.80	\$ 13,972.40	\$ 26,457.20	\$ 10,851.20	\$ 17,093.60	\$ 35,820.80	\$ 11,891.60	\$ 20,214.80	\$ 45,184.40

Cable Package is default 190'	
50 kW	10 cables/ 5 male pigtails / 5 female pigtails
100 kW	10 cables/ 5 male pigtails / 5 female pigtails
150 kW	10 cables/ 5 male pigtails / 5 female pigtails
200 kW	10 cables/ 5 male pigtails / 5 female pigtails
500 kW	18 cables/ 9 male pigtails / 9 female pigtails
1000 kW	34 cables/ 17 male pigtails / 17 female pigtails
1500 kW	50 cables/ 25 male pigtails / 25 female pigtails

200 Cables 50' length (250)	\$ 15.00	\$ 30.00	\$ 90.00	\$ 15.00	\$ 30.00	\$ 90.00	\$ 15.00	\$ 30.00	\$ 90.00	\$ 15.00	\$ 30.00	\$ 90.00
200 Female Pigtails (250)	\$ 2.00	\$ 5.00	\$ 15.00	\$ 2.00	\$ 5.00	\$ 15.00	\$ 2.00	\$ 5.00	\$ 15.00	\$ 2.00	\$ 5.00	\$ 15.00
100 Male Pigtails (150)	\$ 2.00	\$ 5.00	\$ 15.00	\$ 2.00	\$ 5.00	\$ 15.00	\$ 2.00	\$ 5.00	\$ 15.00	\$ 2.00	\$ 5.00	\$ 15.00

Vendor Name: Clifford Power Systems, Inc. **ALL PRICING CONFIDENTIAL**

ADDITIONAL SERVICES - LABOR AND MATERIALS FOR REMEDIAL REPAIRS

Hourly Labor Rate and Materials

The following prices are for services that are not included in the contract but would be incurred as a result of repairs or other additional services requiring additional parts, components, materials, and labor.

- Normal Working Hours** \$ 85.00 per hour
- Overtime Hours*** \$ 127.50 per hour

Materials:

Material Markup: Contractor shall invoice at cost**** plus 10% percent (not to exceed 10%)

Materials purchased at local retail outlets by Contractor field staff. Contractor shall invoice at cost**** (sales receipt/invoiced price).

Payment and Performance Bonds (if required): Contractor shall invoice at cost**** (sales receipt/invoiced price).

**Normal working hours are defined as 7:30 AM – 6:00 PM Monday through Friday.

***Overtime is defined as any hours that fall outside of normal working hours.

****Cost – TFC reserves the right to request from Contractor any invoices or receipts for verification purposes.

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